

# RULE REPORT

## Department of Commerce

Clearinghouse Rule No.: 06-040

Rule No.: Comm 62.0903 (6)

Relating to: Automatic Fire Suppression Systems for Student Housing Serving Colleges and Universities

*Contact person for substantive questions:*

*Contact person for internal processing:*

Name Jim Quast

Name Jim Quast

Title Program Manager

Title Program Manager

Telephone Number 608/266-9292

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1. Basis and purpose of the proposed rule.

The proposed rules reflect the mandates of 2005 Wisconsin Act 78 and s. 101.14 (4) (b), Stats. The act specifies that department rules are to require the installation of automatic fire sprinkler systems in various types of student housing facilities serving institutions of higher education that are not owned or operated by the University of Wisconsin System.

2. How the proposed rule advances relevant statutory goals or purposes.

The proposed rules as part of the Commercial Building Code, chapters Comm 61 to 65, established minimum standards to fulfill the statutory objectives of protecting health, safety and welfare for employees and frequenters of public buildings and places of employment.

3. Changes to the rule analysis or fiscal estimate that was prepared for public hearing.

No changes have occurred to the rule analysis or the fiscal estimate.

# FINAL REGULATORY FLEXIBILITY ANALYSIS

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☒ Final regulatory flexibility analysis not required. (Statement of determination required.)

The proposed rules reflect the mandates of 2005 Wisconsin Act 78 and s. 101.14 (4) (b), Stats. The act specifies that department rules are to require the installation of automatic fire sprinkler systems in various types of student housing facilities serving institutions of higher education that are not owned or operated by the University of Wisconsin System. The proposed rules also reflect previous legislation, effective in 2000, mandating the installation of automatic fire sprinkler systems for certain types of housing within the University of Wisconsin System. Deviation in term of allowing less stringent compliance from the statutory mandates is not permitted and would place public health and safety at risk.

1. Reason for including or failing to include the following methods for reducing impact of the rule on small businesses: Less stringent compliance or reporting requirements; less stringent schedules or deadlines for compliance or reporting requirements; simplification of compliance or reporting requirements; establishment of performance standards to replace design or operational standards; exemption from any or all requirements.
2. Issues raised by small businesses during hearings, changes in proposed rules as a result of comments by small businesses and reasons for rejecting any alternatives suggested by small businesses.

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3. Nature and estimated cost of preparation of any reports by small businesses.
4. Nature and estimated cost of other measures and investments required of small businesses.
5. Additional cost to agency of administering or enforcing a rule which includes any of the methods in 1. for reducing impact on small businesses.
6. Impact on public health, safety and welfare caused by including any of the methods in 1. for reducing impact on small businesses.

# RESPONSE TO LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT

## Department of Commerce

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Agency contact person for substantive questions.

Name: Jim Quast

Title: Program Manager

Telephone No. 608/266-9292

Legislative Council report recommendations accepted in whole.

☐ Yes

☒ No

1. Review of statutory authority [s. 227.15(2)(a)]

- a. ☐ Accepted
- b. ☐ Accepted in part
- c. ☐ Rejected
- d. ☐ Comments attached

2. Review of rules for form, style and placement in administrative code [s. 227.15(2)(c)]

- a. ☒ Accepted
- b. ☐ Accepted in part
- c. ☐ Rejected
- d. ☐ Comments attached

*(Continued on reverse side)*

3. Review rules for conflict with or duplication of existing rules [s. 227.15(2)(d)]
- a. ☐ Accepted
  - b. ☐ Accepted in part
  - c. ☐ Rejected
  - d. ☐ Comments attached
4. Review rules for adequate references to related statutes, rules and forms [s. 227.15(2)(e)]
- a. ☐ Accepted
  - b. ☐ Accepted in part
  - c. ☐ Rejected
  - d. ☐ Comments attached
5. Review language of rules for clarity, grammar, punctuation and plainness [s. 227.15(2)(f)]
- a. ☐ Accepted
  - b. ☒ Accepted in part
  - c. ☐ Rejected
  - d. ☒ Comments attached
6. Review rules for potential conflicts with, and comparability to, related federal regulations [s. 227.15(2)(g)]
- a. ☐ Accepted
  - b. ☐ Accepted in part
  - c. ☐ Rejected
  - d. ☐ Comments attached
7. Review rules for permit action deadline [s. 227.15(2)(h)]
- a. ☐ Accepted
  - b. ☐ Accepted in part
  - c. ☐ Rejected
  - d. ☐ Comments attached